

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE SEPTEMBER 11 LITIGATION

21 MC 101 (AKH)
This document relates to :
Bavis v. United Airlines Inc.
et al., 02 Civ. 7154;
World Trade Center
Properties LLC, et al. v.
United Airlines, Inc. et al.,
08 Civ. 3719; and
World Trade Center
Properties, LLC et al. v.
American Airlines, Inc., et
al., 08 Civ. 3722

**DEFENDANT ICTS INTERNATIONAL N.V.'S
RULE 56.1 STATEMENT OF MATERIAL FACTS
NOT IN DISPUTE**

Pursuant to Rule 56.1 of the Local Rules of the United States District Court for the Southern District of New York, defendant ICTS International, N.V. ("ICTS") submits the following statement of material facts as to which there is no genuine issue to be tried.

1. ICTS is a corporation organized and existing under the laws of The Netherlands. (Declaration of David W. Sass, dated April 27, 2011, ¶ 3) ("Sass Declaration").

2. In 2000 and 2001 ICTS had (and still has) a wholly owned subsidiary, ICTS USA, Inc. ("ICTS USA"), which in those years was known as ICTS (1994) USA, Inc. ICTS USA is a corporation organized and existing under the laws of the State of New York. (Sass Declaration, ¶ 4).

3. Effective as of January 1, 1999, ICTS USA purchased 80% of the stock of Huntleigh

USA, Corporation (“Huntleigh”), and effective October 17, 2000 it purchased the remaining 20% of Huntleigh stock. Huntleigh has been, and still is, a wholly owned subsidiary of ICTS USA since October 17, 2000. Huntleigh is a corporation organized and existing under the laws of the State of Missouri. (Sass Declaration, ¶ 5).

4. In 2000 and 2001, Mr. Sass acted as general counsel for ICTS. (Sass Declaration, ¶ 3).

5. In 2000 and 2001, Mr. Sass was a member of ICTS USA’s board of directors, and in 2001 he served as its corporate secretary. (Sass Declaration, ¶ 4).

6. In 2001 Mr. Sass was a member of Huntleigh’s board of directors, and he also served as its corporate secretary. (Sass Declaration, ¶ 5).

7. In 2000 and 2001, ICTS, ICTS USA and Huntleigh each had separate boards of directors. In 2000 and 2001 the boards of ICTS, ICTS USA and Huntleigh had some overlapping members, but none of the boards was identical with either of the other two. (Sass Declaration, ¶ 6).

8. In 2000 Mr. Sass was corporate secretary for ICTS USA, but he was not a corporate officer of either ICTS or Huntleigh during that year. In 2001 Mr. Sass was corporate secretary for ICTS USA and for Huntleigh, but he was not a corporate officer of ICTS in that year. None of the other corporate officers of either ICTS or ICTS USA also served as a corporate officer of Huntleigh during either of 2000 or 2001. (Sass Declaration, ¶ 7).


9. From 1999 through 2001, and thereafter, the three companies operated as three separate entities. They each had different principal places of business. In 2000 and 2001 ICTS’ principal place of business was located in Amsterdam, The Netherlands. In 2000 and 2001,

ICTS USA's principal place of business was located in New York, New York. In 2000 and 2001, Huntleigh's principal place of business was located in St. Louis, Missouri. Each of the three companies kept separate books and records. Each of the three companies had separate bank accounts. (Sass Declaration, ¶ 8).

10. In 2000 and 2001 Huntleigh's president, Joseph Tuero, was in charge of Huntleigh's day to day business operations. Mr. Tuero was not a board member or corporate officer of either ICTS or ICTS USA. (Sass Declaration, ¶ 9).

11. Huntleigh entered into contracts to provide security screening services in the United States in its name and not in the name of any other company. Huntleigh hired and paid its security screening personnel. (Sass Declaration, ¶ 10).

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